

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-8 are all the claims pending in the application. Applicant respectfully submits that the pending claims define patentable subject matter.

Claims 1-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Schroeder et al. (U.S. Pat. No. 5,274,697; hereinafter “Schroeder”). Applicant respectfully traverses this rejection.

Amended claim 1 recites “restricting signals passing between the at least two network portions once the emergency means have been implemented.” Applicant submits that Schroeder does not teach or suggest this feature of the claimed invention.

Schroeder is merely targeted at the detection of degraded quality data transmission over a communications link, and the restoration of data transmission by switching to a dialup link between two modems. See Schroeder, Abstract and FIG. 1. According to Schroeder, “[a]fter dial connection 12 has been established, calling unit 2 then causes data communications to be switched onto dial connection 12 until such time as the quality of leased connection 6 returns to a level capable of reliable data transmission.” See Schroeder, col. 2, lines 19-23. Thus, Schroeder does not restrict the signals passing between the modems in any way, as claim 1 requires.

Since Schroeder does not teach or suggest restricting the signals passing between two network portions in a emergency situation, Schroeder fails to teach or suggest all of the required features of claim 1. As such, Applicant submits that claim 1 is patentable over Schroeder. Furthermore, Applicant submits that claims 2-6 are patentable at least by virtue of their

dependency on claim 1. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-6.

Claims 7 and 8 are rejected under 35 U.S.C. § 103(a) as unpatentable over Schroeder in view of Ko et al. (U.S. Pat. No. 5,479,407; hereinafter "Ko"). Applicant respectfully traverses this rejection.

With regard to dependent claims 7 and 8, as noted above, Schroeder fails to teach or suggest all of the required features of claim 1. Since claims 7 and 8 depend on claim 1, Schroeder also fails to teach or suggest all of the required features of claims 7 and 8. Moreover, Applicant notes that Ko fails to cure the deficiency of Schroeder. Therefore, Applicant submits that claims 7 and 8 are patentable at least by virtue of their dependency on claim 1. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of claims 7 and 8.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No. 09/749,675

Attorney Docket No. Q62440

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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